Notice of Allowability	Application No.	Applicant(s)	
	09/462,789	YODO ET AL.	
	Examiner	Art Unit	
	Kenny Lin	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *7/23/2004*.

2. ☒ The allowed claim(s) is/are *1, 6-11, 16-21 now renumbered as 1-13*.

3. ☒ The drawings filed on *12 January 2000* are accepted by the Examiner.

4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☒ All b) ☐ Some* c) ☐ None of the:
      1. ☒ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
      3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
   (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
   (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date *10/12/04* .
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Wen Jan Lin 10/15/04

DETAILED ACTION

1. Claims 1, 6-11, 16-21 are presented for examination.

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

3. Authorization for this examiner's amendment was given in a telephone interview with Mr. Pedro Fernandez, Reg. 41741 on October 12, 2004.

4. The application has been amended as follows:

Amend the specification to include the following:

In page 1, line 2, add "This application claims the priority of PCT/JP99/02602 filed on May 19, 1999. " to the front of the word "Recording and reproducing apparatus"

Amend the Claims as follows:

Claim 1 (Currently Amended) A recording and reproducing apparatus, comprising:

a recording medium having a storing portion for storing multimedia data programs and including a first management area for storing index data for managing said multimedia data programs, wherein said index data is [[an]] a pre-stored imperfect index data so that said

multimedia data programs are unreproduceable from said storing portion, and second management area for recording management data for identifying said recording medium, wherein said recording medium is a hybrid disc including a reproduction-only area and a rewritable area, said reproduction-only area having recorded thereon said multimedia data programs and said second management area, and said rewritable area having recorded thereon said pre-stored imperfect index data;

a recording and reproducing portion for recording and reproducing data from said hybrid disc, ~~including~~ wherein said recording and reproducing portion reproducing and transmitting said management data; and

a signal generating portion for generating and transmitting a perfect index data based on said management data identifying said recording medium transmitted by said recording and reproducing portion so that said multimedia data programs are reproduceable by said recording and reproducing portion,

wherein when said signal generating portion transmits said perfect index data to said recording and reproducing portion, said recording and reproducing portion replaces ~~rewrites~~ said pre-stored imperfect index data recorded on said rewritable area of said hybrid disc with said perfect index data, thereby enabling the reproduction of said stored multimedia data programs stored in said reproduction-only area of said hybrid disc.

Claims 2-5 (Canceled).

Claim 6. (Currently Amended) The recording and reproducing apparatus set forth in claim 1, further comprising:

a charge processing portion for performing a charging process before said signal generating portion generates said perfect index data,

wherein when said recording and reproducing portion reproduces said multimedia data programs stored in said storing portion, said recording and reproducing portion supplies said perfect index data to said signal generating portion and said charge processing portion performs said charging process, and

when said charge processing portion has completed said charging process, said signal generating portion generates said perfect index data.

Claim 7 (Previously Presented) The recording and reproducing apparatus set forth in claim 1, further comprising:

a terminal unit connected to said recording and reproducing portion; and

a server unit containing said signal generating portion, said server unit being connected to said terminal unit through a communication network.

Claim 8 (Previously Presented) The recording and reproducing apparatus as set forth in claim 1, further comprising:

a terminal unit containing said signal generating portion, said terminal unit being connected to said recording and reproducing portion; and

a server unit connected to said terminal unit through a communication network.

Claim 9 (Currently Amended) The recording and reproducing apparatus set forth in claim 1, further comprising:

a charge processing portion,

wherein when said recording and reproducing portion reproduces said multimedia data programs stored in said storing portion, said recording and reproducing portion supplies a charging process signal to said charge processing portion so that said charge processing portion performs a charging process, and

after said charge processing portion has completed said charging process, said signal generating portion supplies said perfect index data to said recording and reproducing portion.

Claim 10 (Currently Amended) The recording and reproducing apparatus set forth in claim 9,

wherein said storing portion stores said charging process signal and said perfect index data along with said multimedia data programs, and

said recording and reproducing portion rewrites said pre-stored imperfect index data with said perfect index data received from said signal generating portion.

Claim 11. (Currently Amended) A recording and reproducing apparatus, comprising:

a recording and reproducing portion including a recording medium having a storing portion for storing multimedia data programs and including a first management area for storing index data for managing said multimedia data programs, wherein said index data is [[an]] a pre-stored imperfect index data so that said multimedia data programs are unreproduceable from said

storing portion, and a second management area for recording management data for identifying said recording medium, wherein said recording medium is a hybrid disc including a reproduction-only area and a rewritable area, said reproduction-only area having recorded thereon said multimedia data programs and said second management area, and said rewritable area having recorded thereon said pre-stored imperfect index data, and said recording and reproducing portion records and reproduces multimedia data to/from said hybrid disc including reproducing and transmitting said management data; and

a server unit having a signal generating portion for generating and transmitting a perfect index data based on said management data identifying said recording medium transmitted by said recording and reproducing portion so that said multimedia data programs are reproduceable by said recording and reproducing portion,

wherein when said signal generating portion transmits said perfect index data to said recording and reproducing portion, said recording and reproducing portion replaces ~~rewrites~~ said pre-stored imperfect index data recorded on said rewritable area of said hybrid disc with said perfect index data, thereby enabling the reproduction of said stored multimedia data programs stored in said reproduction-only area of said hybrid disc.

Claims 12-15 (Canceled).

Claim 16 (Currently Amended) The recording and reproducing apparatus set forth in claim 11, further comprising:

a charge processing portion for performing a charging process before said signal generating portion generates said perfect index data,

wherein when said recording and reproducing portion reproduces said multimedia data programs stored in said storing portion, said recording and reproducing portion supplies said perfect index data to said signal generating portion and said charge processing portion performs said charging process, and

when said charge processing portion has completed said charging process, said signal generating portion generates said perfect index data.

Claim 17 (Currently Amended) The recording and reproducing apparatus set forth in claim 11, further comprising:

a charge processing portion,

wherein when said recording and reproducing portion reproduces said multimedia data programs stored in said storing portion, said recording and reproducing portion supplies a charging process signal to said charge processing portion so that said charge processing portion performs a charging process, and

after said charge processing portion has completed said charging process, said signal generating portion supplies said perfect index data to said recording and reproducing portion.

Claim 18 (Currently Amended) The recording and reproducing apparatus set forth in claim 17,

wherein said storing portion stores said charging process signal and said perfect index data along with said multimedia data programs, and

said recording and reproducing portion rewrites said pre-stored imperfect index data with said perfect index data received from said signal generating portion.

Claim 19 (Previously Presented) The recording and reproducing apparatus set forth in claim 17,

wherein said charge processing portion is connected to said recording and reproducing portion and to said server unit through a communication network.

Claim 20 (Currently Amended) The recording and reproducing apparatus set forth in claim 19,

wherein identification data is stored in said terminal unit,

and when said recording and reproducing portion reproduces said multimedia data programs stored in said storing portion, said terminal unit supplies said identification data to said charge processing portion, and

when said charge processing portion has determined that said terminal unit is valid based upon said identification data received from said terminal unit, said charge processing portion starts said charging process.

Claim 21 (Currently Amended) The recording and reproducing apparatus set forth in claim 20,

wherein when said charge processing portion has determined that said terminal unit is valid based upon said identification data received from said terminal unit, said charge processing portion is connected to said server unit through said communication network so that said charge processing portion performs said charging process and ~~rewrites~~ replaces said pre-stored imperfect index data with said perfect index data received from said signal generating portion.

Claims 22-31 (Canceled).

5. The following is an examiner's statement of reasons for allowance: None of the prior art of record fairly teaches or suggests all of the limitation recited in the claims, specifically the limitation of pre-storing an imperfect index data in the rewritable area of the hybrid disc to prevent the reproducing of multimedia data program stored in the reproduction-only area of the hybrid disc; replacing the pre-stored imperfect index data with a perfect index data generated and transmitted by a signal generator; and using the perfect index data to reproduce the multimedia data program stored in the reproduction-only area in the hybrid disc.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Um et al, US 6,490,408.

Yagasaki et al, US 6,266,482.

Tahara et al, US 6,115,533.

Naruse et al, US 5,982,977.

Oshima, US 5,959,948.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenny Lin whose telephone number is (703) 305-0438 and will be (571) 272-3968 after October 18, 2004. The examiner can normally be reached on 8 AM to 5 PM Tue.-Fri. and every other Monday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (703) 305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ksl
October 19, 2004

Wen-Tan Li
10/19/04